

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY TURNER,

Plaintiff,

v.

MICHAEL ULLERY, et al.,

Defendants.

No. 2:22-cv-0002 KJN P

ORDER

Plaintiff is a state prisoner, proceeding pro se, with a civil rights action under 42 U.S.C. § 1983. On March 4, 2022, plaintiff filed a document styled, “Motion for Summary Judgment,” and on March 7, 2022, plaintiff filed a motion to discover witnesses under California Government Code § 11507.6. (ECF Nos. 15-16.) Plaintiff’s motions are premature. On January 19, 2022, the court ordered service of process on defendants Ratton, Ullery, and Nougé. While the Office of the Attorney General has filed a notice of intent to waive service, no waiver has yet been filed, and no defendant has yet appeared in this action. Once all defendants have filed an answer, the court will issue a discovery and scheduling order providing deadlines for the filing of discovery requests, motions to compel, and dispositive motions. Plaintiff shall refrain from filing such motions until the court issues its discovery and scheduling order.

Because plaintiff’s motions are premature, and his motion for summary judgment includes exhibits he may need to disclose to defendants through discovery responses, the Clerk of the

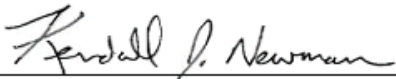
1 Court is directed to return the original motions to plaintiff. The court will retain the electronic  
2 copies of such motions, but no dispositive ruling on such motions will issue.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Plaintiff's motions (ECF Nos. 15 & 16) are vacated; and

5 2. The Clerk of the Court shall return to plaintiff the original motions (ECF Nos. 15 &  
6 16).

7 Dated: March 10, 2022

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9 KENDALL J. NEWMAN  
10 UNITED STATES MAGISTRATE JUDGE

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